

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ERVIN J. THOMPSON, )  
                          )  
                          )  
Plaintiff,            )  
                          )  
                          )  
v.                     )                           No. 4:14CV1987 JCH  
                          )  
                          )  
KYLE WEBB, et al.,    )  
                          )  
                          )  
Defendants,            )

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for leave to file an amended complaint. Plaintiff did not submit a proposed amended complaint with the motion.

"[I]n order to preserve the right to amend the complaint, a party must submit the proposed amendment along with its motion." Clayton v. White Hall School Dist., 778 F.2d 457, 460 (8th Cir. 1985). As a result, the Court will deny the motion without prejudice to refiling with a proposed amended complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to file an amended complaint [ECF No. 7] is **DENIED without prejudice**.

Dated this 6th Day of January, 2015.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE